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Attorneys for Defendant  
5 JUAN CARLOS MARTINEZ CASTRO

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,	) Case No. 2:19-cr-233 TLN
	)
10 Plaintiff,	) STIPULATION AND ORDER TO CONTINUE
	) STATUS CONFERENCE, AND TO EXCLUDE
11 vs.	) TIME
	)
12 JUAN CARLOS MARTINEZ	) Date: June 11, 2020
13 CASTRO, et al.	) Time: 9:30 a.m.
	) Judge: Hon. Troy L. Nunley
14 Defendants.	)
	)

15  
16 IT IS HEREBY STIPULATED by and between the parties hereto through their  
17 respective counsel, U.S. Attorney McGregor Scott, through Assistant United States Attorney  
18 Justin Lee, attorney for Plaintiff, and Federal Defender Heather Williams, through Assistant  
19 Federal Defender Hannah Labaree, attorney for defendant Juan Carlos Martinez Castro, and  
20 Christopher Cosca, attorney for defendant Shannon Jeffries, that the previously-scheduled status  
21 conference date of June 11, 2020, be vacated and the matter be set for status conference on  
22 September 17, 2020 at 9:30 a.m, at the defendants' request.

23 Counsel for the defendants require time to review discovery, conduct independent  
24 investigation, and meet with their clients to review the material.

25 The current COVID-19 pandemic presents significant barriers to undersigned counsels'  
26 ability to accomplish the required tasks to adequately represent their clients, as communication  
27 with the clients is stymied by the restrictions on face-to-face contact. Moreover, Ms. Jeffries is  
28

1 incarcerated at the Sacramento County Jail, which currently does not provide a safe and  
 2 confidential means by which counsel may meet with his client. Review of discovery, discussion  
 3 of sentencing exposure in the case, and private communications surrounding possible avenues of  
 4 defense investigation are therefore completely stalled at this time. With respect to Mr. Martinez  
 5 Castro, while he is out of custody and thus able to communicate confidentially via telephone  
 6 with his attorney, he is currently unable to review non-documentary evidence in his case as he  
 7 does not have access to a home computer. The process of producing this discovery in a format  
 8 which Mr. Martinez Castro has the technology to review (such as a CD player), requires  
 9 additional time as the Federal Defender Office is operating on a skeleton crew and in-office staff  
 10 are overloaded with tasks. Further, in-person investigation is more difficult to accomplish in  
 11 light of the health concerns involved with risks of contagion.

12 For all these reasons, Defense counsel believe that the failure to grant the above-  
 13 requested continuance would deny them the reasonable time necessary for effective preparation,  
 14 taking into account the exercise of due diligence.

15 Based upon the foregoing, the parties agree time under the Speedy Trial Act should be  
 16 excluded from this order's date through and including September 17, 2020, pursuant to 18  
 17 U.S.C. §3161 (h)(7)(A) and (B)(iv) (reasonable time to prepare), and General Order 479, Local  
 18 Code T4, based upon continuity of counsel and defense preparation.

19 Counsel and the defendant also agree that the ends of justice served by the Court granting  
 20 this continuance outweigh the best interests of the public and the defendant in a speedy trial.

21 Respectfully submitted,

22 Dated: June 3, 2020

HEATHER E. WILLIAMS  
 Federal Defender

23  
 24 /s/ Hannah Labaree  
 HANNAH LABAREE  
 Assistant Federal Defender  
 Attorney for Defendant  
 Juan Carlos Martinez Castro

1 Dated: June 3, 2020

/s/Christopher Cosca  
CHRISTOPHER COSCA  
Attorney for Defendant  
Shannon Jeffries

2  
3  
4 Dated: June 3, 2020

MCGREGOR SCOTT  
United States Attorney

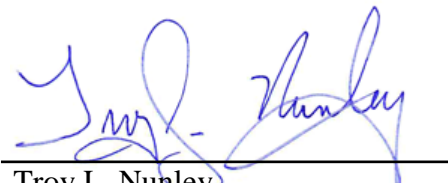
/s/Justin Lee  
JUSTIN LEE  
Assistant U.S. Attorney  
Attorney for Plaintiff

ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including September 17, 2020, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the June 11, 2020 status conference shall be continued until September 17, 2020, at 9:30 a.m.

Dated: June 3, 2020

  
Troy L. Nunley  
United States District Judge